

108TH CONGRESS  
2D SESSION

# S. 2950

To amend title XIX of the Social Security Act to prohibit payments to States under the medicaid program for redispensing prescription drugs.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 8, 2004

Mr. CORZINE (for himself and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XIX of the Social Security Act to prohibit payments to States under the medicaid program for redispensing prescription drugs.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION ON PAYMENT FOR REDIS-**  
4 **PENSING PRESCRIPTION DRUGS.**

5 (a) IN GENERAL.—Section 1903(i) of the Social Se-  
6 curity Act (42 U.S.C. 1396b(i)) is amended—

7 (1) in paragraph (20), by striking the period at  
8 the end and inserting “; or”; and

9 (2) by adding at the end the following:

1           “(21) with respect to any amount expended for  
2           redispensing a prescribed drug, other than in accord-  
3           ance with guidance of the Secretary that—

4                   “(A) specifies the circumstances under  
5                   which redispensing of a prescribed drug shall be  
6                   permissible; and

7                   “(B) allows for a reasonable restocking fee  
8                   that takes into account the costs of inspection  
9                   and inventory processes for redispensing.”.

10          (b) EFFECTIVE DATE.—The amendments made by  
11          subsection (a) take effect on the first day of the first fiscal  
12          year quarter that begins after the date of enactment of  
13          this Act.

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